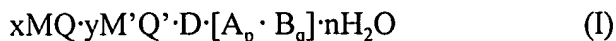


### Amendments to the Claims

**1. (Original)** A pyrithione complex compound represented by the formula (I):



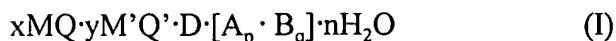
wherein M represents a divalent metal, M' represents a trivalent metal, Q represents one oxygen atom or two hydroxyl groups, Q' represents 3/2 oxygen atoms or 3 hydroxyl groups, x, y, p, q and n respectively denote 0 or a positive number satisfying the following equations:  $0 \leq x \leq 7$ ,  $0 \leq y \leq 6$ ,  $0 \leq p + 2q < 6/5$  and  $0 \leq n \leq 7$ , (provided that x and y are not 0 at the same time), D represents  $M(Py)_{2-p-2q}$  when  $x \neq 0$  and  $M'(Py)_{3-3p/2-3q}$  when  $x = 0$ , Py represents 2-pyridylthio-N-oxide, A represents a monovalent anion other than Py or shows that it does not exist and B represents a divalent anion or shows that it does not exist.

**2. (Original)** A pyrithione complex compound according to Claim 1, wherein, in the formula (I), M is at least one divalent metal selected from Zn and Cu, M' is Al, A is a monovalent anion selected from Cl and  $NO_3$  or shows that it does not exist, B is at least one divalent anion selected from  $CO_3$  and  $SO_4$  or shows that it does not exist and x, y, p, q, n, Q, Q' and D respectively have the same meaning as above.

**3. (Original)** A pyrithione complex compound according to Claim 1, wherein, in the formula (I), M is zinc, Q is one oxygen atom, D is zinc pyrrithione,  $y = 0$ ,  $p + 2q = 0$ ,  $n = 0$ , A and B do not exist and x is 1/3.

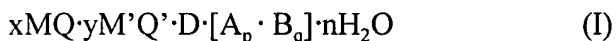
**4. (Original)** A pyrrithione complex compound according to Claim 1, wherein, in the formula (I), M is copper, Q is one oxygen atom or two hydroxyl groups, D is copper pyrrithione,  $y = 0$ ,  $p + 2q = 0$ ,  $0 \leq n \leq 1$ , A and B do not exist and x is 1/3.

**5. (Original)** A process for producing a pyrrithione complex compound represented by the formula (I):



wherein M represents a divalent metal, M' represents a trivalent metal, Q represents one oxygen atom or two hydroxyl groups, Q' represents 3/2 oxygen atoms or 3 hydroxyl groups, x, y, p, q and n respectively denote 0 or a positive number satisfying the following equations:  $0 \leq x \leq 1$ ,  $0 \leq y \leq 1$ ,  $0 \leq p + 2q < 6/5$  and  $0 \leq n \leq 2$ , (provided that x and y are not 0 at the same time), D represents  $M(Py)_{2-p-2q}$  when  $x \neq 0$  and  $y = 0$  and  $M'(Py)_{3-3p/2-3q}$  when  $x = 0$  and  $y \neq 0$  where Py represents 2-pyridylthio-N-oxide and A and B do not exist and either x or y is 0, which comprises adding 1/2 to 2 equivalent mol of an aqueous solution of a divalent or trivalent water-soluble metal salt and 3/4 to 3 equivalent mol of an aqueous alkali hydroxide solution to an aqueous alkali pyrrithione solution and reacting the mixture at a pH of 9 to 12 to collect the precipitates.

**6. (Original)** A process for producing a pyrrithione complex compound represented by the formula (I):



wherein M represents a divalent metal, M' represents a trivalent metal, Q represents one oxygen atom or two hydroxyl groups, Q' represents 3/2 oxygen atoms or 3 hydroxyl groups, x, y, p, q and n respectively denote 0 or a positive number satisfying the following equations:  $0 \leq x \leq 7$ ,  $0 \leq y \leq 6$ ,  $0 \leq p + 2q < 6/5$  and  $0 \leq n \leq 7$ , (provided that x and y are not 0 at the same time), D represents  $M(Py)_{2-p-2q}$  when Py represents 2-pyridylthio-N-oxide, A represents a monovalent anion other than Py or shows that it does not exist and B represents a divalent anion or shows that it does not exist and  $x \neq 0$  and  $y \neq 0$ , which comprises adding a water soluble salt of a divalent metal and a water-soluble salt of a trivalent metal to an aqueous solution containing an alkali pyrrithione, an alkali hydroxide and, according to the need, a monovalent anion other than pyrrithione and/or a divalent anion, adjusting the mixture to a pH 8 to 10 and collecting the obtained precipitates.

7. **(Original)** A process for producing a pyrithione complex compound according to Claim 6, wherein, in the formula (I), M is Zn, M' is Al, A is at least one monovalent anion selected from Cl and NO<sub>3</sub> or shows that it does not exist, B is at least one divalent anion selected from CO<sub>3</sub> and SO<sub>4</sub> or shows that it does not exist and x, y, p, q, n, Q, Q' and D respectively have the same meaning as above.

8. **(Original)** A process for producing a pyrithione complex compound according to Claim 5, wherein, in the formula (I), M is zinc, Q is one oxygen atom, D is zinc pyrithione, y = 0, p + 2q = 0, n = 0, A and B do not exist and x is 1/3.

9. **(Currently amended)** A process for producing a pyrithione complex compound according to ~~any one of Claims 5 and 8~~ Claim 5, wherein the pyrithione complex compound contains zinc oxide or a mixture of zinc oxide and zinc pyrithione as a byproduct and the exothermic peak temperature in thermal analysis (DTA) is 322 to 335°C.

10. **(Original)** A process for producing a pyrithione complex compound according to Claim 5, wherein, in the formula (I), M is copper, Q is one oxygen atom or two hydroxyl groups, D is copper pyrithione, y = 0, p + 2q = 0, 0 ≤ n ≤ 1, A and B do not exist and x is 1/3.

11. **(Currently amended)** A process for producing a pyrithione complex compound according to ~~any one of Claims 5 and 10~~ Claim 5, wherein the pyrithione complex compound contains copper (II) oxide or a mixture of copper (II) oxide and copper pyrithione as a byproduct and the exothermic peak temperature in thermal analysis (DTA) is 282 and 294°C.

12. **(Currently amended)** An antidandruff agent comprising one or more of the pyrithione complex compounds as claimed in ~~any one of Claims 1 to 4~~ Claim 1.

**13. (Original)** A hair-care product comprising the antidandruff agent as claimed in Claim 12 or the antidandruff agent and zinc oxide.

**14. (Currently amended)** An underwater antifouling agent comprising one or more of the pyrithione complex compounds as claimed in ~~any one of Claims 1 to 4~~ Claim 1.

**15. (Currently amended)** An underwater antifouling agent comprising a binder, one or more of the pyrithione complex compounds as claimed in ~~any one of Claims 1 to 4~~ Claim 1 and an inorganic copper compound and/or inorganic zinc compound as effective components.

**16. (Original)** An underwater antifouling agent according to Claim 15, wherein the binder is an acrylic resin, the inorganic copper compound is at least one type selected from copper (I) oxide, copper (II) oxide and copper thiocyanate and the inorganic zinc compound is zinc oxide.

**17. (Original)** A rot proofing / mildew-proofing agent or an antibacterial/antifungal agent comprising one or more of the pyrithione complex compounds as claimed in ~~any one of Claims 1 to 4~~ Claim 1 as effective components.

**18. (Original)** An aqueous product comprising the pyrithione complex compound as claimed in Claim 3 or a mixture of the pyrithione compound and zinc oxide and a 2-isothiazolone type preservative.

**19. (New)** A process for producing a pyrithione complex compound according to Claim 8, wherein the pyrithione complex compound contains zinc oxide or a mixture of zinc oxide and zinc pyrithione as a byproduct and the exothermic peak temperature in thermal analysis (DTA) is 322 to 335°C.

**20. (New)** A process for producing a pyrithione complex compound according to Claim 10, wherein the pyrithione complex compound contains copper (II) oxide or a mixture of copper (II) oxide and copper pyrithione as a byproduct and the exothermic peak temperature in thermal analysis (DTA) is 282 and 294°C.